

REMARKS

This amendment is being submitted to simplify the issues on appeal. Claims 3, 36-46, and 48-54 are pending. Claims 21-33 have been withdrawn from further consideration. Claim 47 has been cancelled herein.

As a preliminary matter, Appellant would like to thank the examiner for extending the courtesy of a telephonic interview with Appellant's representative. The substance of the Examiner's Interview Summary record is substantially correct.

Seven sheets of replacement drawings are attached hereto. Fig. 6b has been amended to change the sectional line "V-V" to -6a - 6a-- as per the examiner's suggestion. Figs. 6a and 6b have been amended to eliminate the encircled reference numerals as per the examiner's suggestion. All the figures have been amended to clear up stray marks and poor quality lines.

With respect to claim 46, this claim adds the feature that "the channels are oriented substantially parallel to the longitudinal axis of the screw." Claim 36, merely recites that the channels are substantially axially disposed with no reference to the longitudinal axis. In addition, claim 46 recites that the channels are parallel to the longitudinal axis not merely axially disposed. If the examiner still believes that this claim indefinite since his unreasonable reading of the claim language is different than Appellants, he should reject the claim under section 112, second paragraph, and appellant will address the rejection on appeal.

Claim 47 has been cancelled rendering the rejections under rule 75(c) and section 112, second paragraph moot.

In view of the foregoing, applicant respectfully requests that this amendment be entered for purposes of appeal. If the Examiner believes that direct contact with Applicant's representative would advance the prosecution of this application, the Examiner is requested to contact the undersigned at the number listed below.

Dated: 10/25/04

By:

Respectfully submitted,
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